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HOUSE BILL 709

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO LAND USE; SETTING THE STANDARD OF REVIEW FOR
DEVELOPMENT AND SUBDIVISION PROPOSALS TO THAT OF THE MASTER
PLAN AND ORDINANCES IN EFFECT AT THE TIME OF APPLICATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 3, Article 19 NMSA
1978 is enacted to read:

"NEW MATERIAL DEVELOPMENT APPLICATIONS--STANDARD OF
REVIEW. --Once a development application has been accepted for
review, the application shall be reviewed based on the master
plan or subdivision ordinance that existed at the time the
development application was accepted for review by the
municipality. The application shall be subject to proposed
ordinances subsequently adopted by the governing body that were
published for adoption at the time of application. The

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 standard of review does not apply to zoning changes or zoning
2 ordinances. "

3 Section 2. A new section of Chapter 3, Article 20 NMSA
4 1978 is enacted to read:

5 "[NEW MATERIAL] SUBDIVISION APPROVALS--APPLICATIONS--
6 STANDARD OF REVIEW.--Once an application for the subdivision of
7 land has been accepted for review, the application shall be
8 reviewed based on the master plan or subdivision ordinance that
9 existed at the time the subdivision application was accepted
10 for review. "

11 Section 3. A new section of the New Mexico Subdivision
12 Act is enacted to read:

13 "[NEW MATERIAL] PRELIMINARY AND FINAL PLAT APPROVALS--
14 STANDARD OF REVIEW.--An application for final plat approval
15 shall be reviewed based on the subdivision regulations that
16 existed at the time the application for final plat approval was
17 accepted for review by the county. "

18 Section 4. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2003.